

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MARY CHANDLER,)	CIVIL CASE NO.: 8:18-cv-454
)	
Plaintiff,)	
)	DEFENDANTS' NOTICE OF AND
)	PETITION FOR REMOVAL
v.)	
)	
)	(From the District Court of Lancaster
CABELA'S, LLC and CABELA'S)	County, Nebraska, Case No. CI 18-2832)
INC.)	
)	
Defendants.)	

Defendant Cabela's, LLC f/k/a Cabela's, Inc.¹, ("Cabela's" or "Defendant"), by and through undersigned counsel, pursuant to 28 U.S.C. §§ 1331, 1367, and 1441, and in accordance with the Federal Rules of Civil Procedure and Nebraska Civil Rules, hereby files this Notice of and Petition for Removal of a case from the District Court of Lancaster County, Nebraska, bearing Case No. CI 18-2832. As grounds for this removal, Defendant states the following:

BACKGROUND

1. On August 23, 2018, Plaintiff filed her Complaint and Jury Demand against Defendant in the District Court of Lancaster County, Nebraska, Case No. CI 18-2832. A copy of the Complaint is attached with Exhibit A to this Notice.

TIMELY REMOVAL

2. On August 27, 2018, Defendant received service of the Complaint by certified mail. A copy of the return summons is attached with Exhibit A to this notice. The time period under 28 U.S.C. § 1446(b) for Defendant to file this Notice of Removal has not expired.

¹ Plaintiff's Petition incorrectly identifies defendants as Cabela's, LLC and Cabela's Inc. However, Cabela's Inc., a Delaware Corporation, was converted to Cabela's, LLC, a Delaware Limited Liability Company, on December 30, 2017

BASES FOR REMOVAL

3. Plaintiff has asserted claims against Defendant for alleged violations of the Family and Medical Leave Act, 29 U.S.C. § 2601, *et seq.* (“FMLA”) and for alleged violations of the Nebraska Fair Employment Practices Act (“FEPA”).
4. This Court has original jurisdiction over Plaintiff’s FMLA claims pursuant to 28 U.S.C. § 1441.
5. Plaintiff’s Nebraska state law FEPA claim is so related to Plaintiff’s FMLA claim that they form part of the same case or controversy.
6. In particular, in her Complaint, Plaintiff relies on the same set of factual allegations to form her FMLA and FEPA claims. *See* Exhibit A, pp. 3-8.
7. Pursuant to 28 U.S.C. § 1367(a), this Court has supplemental jurisdiction over Plaintiff’s Nebraska state law FEPA claim.

VENUE

8. Venue is proper in this Court. The United States District Court for the District of Nebraska is the Division which encompasses Lancaster County, the district in which the state court case was filed. Thus, the United States District Court for the District of Nebraska is the proper district court to which this case should be removed. *See* 28 U.S.C. §§ 1441(a) and 1446(a).

NOTICE OF COMPLIANCE WITH PROCEDURAL REQUIREMENTS

9. An accurate copy of all process, pleadings, orders, and other papers or exhibits currently on file with the state court are attached to this notice of and petition for removal as Exhibit A as required by 28 U.S.C. § 1446(a).

10. Promptly after the filing of this Notice, Defendant will serve written notice of this removal on Plaintiff through her counsel and will file a copy of this Notice of Removal with the District Court of Lancaster County, Nebraska.

REQUEST FOR PLACE OF TRIAL

Defendant respectfully requests that trial of this action be held in Omaha, Nebraska.

WHEREFORE, Defendant respectfully requests that this case be properly removed, that the Court accept jurisdiction over the action, and that this action be entered into the docket of this Court for further proceedings as if the action had originally been instituted in this Court.

Dated: September 26, 2018.

Respectfully submitted,

By /s/ Kenneth M. Wentz III
Kenneth M. Wentz III #23580
Brock J. Pohlmeier #25817
JACKSON LEWIS, P.C.
10050 Regency Circle, Suite 400
Omaha, Nebraska 68114
(402) 391-1991
(402) 391-7363 (fax)
kenneth.wentz@jacksonlewis.com
brock.pohlmeier@jacksonlewis.com

ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was served via U.S. mail and/or electronic mail on this 26 day of September 2018 on the following:

Abby Osborn
Joy Shiffermiller
Shiffermiller Law Office, P.C., L.L.O.
1002 G Street
Lincoln, NE 68508

/s/ Kenneth M. Wentz III

IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA

MARY CHANDLER,

)

)

Plaintiff,

)

CASE NO.:

)

v.

)

COMPLAINT AND

)

DEMAND FOR JURY TRIAL

CABELA'S, LLC. and CABELA'S
INC.

)

)

)

Defendant.

)

COMES NOW the Plaintiff, by and through her attorney, and for her cause of action against the Defendant, states and alleges as follows:

1. This is an action for damages against the Defendant for acts in violation of Plaintiff's rights as guaranteed by the Family Medical Leave Act (FMLA), 29 U.S.C § 2612 et seq., as amended, the Nebraska Fair Employment Practices Act (FEPA), Neb. Rev. Stat. § 48-1101 et seq., and for costs and attorney fees pursuant to 29 U.S.C. § 2617, and Neb. Rev. Stat. § 48-1119.

VENUE

2. Plaintiff, Mary Chandler, is a disabled resident of Waverly, Lancaster County, Nebraska.
3. Defendant, Cabela's, LLC., is a foreign corporation incorporated under the laws of the state of Delaware that is registered and conducts business in

EXHIBIT A

Nebraska. Cabela's LLC is the now active corporate entity of the Plaintiff's former employer following a restructuring.

4. Defendant, Cabela's, Inc. was a foreign corporation incorporated under the laws of the state of Delaware that was registered and conducted business in Nebraska. Cabela's Inc. was an active corporation at the time the events alleged in the complaint took place and was the Plaintiff's employer.
5. Defendants relevant hereto had more than 15 employees and was an employer under the relevant statutes.
6. Venue is proper under Neb. Rev. Stat. § 25-403.01.

FACTS

7. Plaintiff is disabled.
8. Plaintiff began working for Cabela's on April 12, 2010 and was employed as a dispute representative at the time of her termination on August 18, 2017.
9. Due to Plaintiff's serious health condition she had requested intermittent leave through the spring of 2017.
10. As a result of the Plaintiff's serious health condition, she was scheduled for surgery in an effort to rectify the serious health condition.
11. Plaintiff complied with Cabela's FMLA requesting process and provided necessary paperwork and medical documentation to Cabela's.

12. On or about July 3, 2017, Plaintiff underwent surgery due to her disability and serious health condition which lead to complications causing daily migraines and insomnia which limited the Plaintiff in her daily life activities included but not limited to thinking, working, and sleeping.
13. Because of these complications, Plaintiff's return to work was moved from July 10, 2017 to July 12, 2017.
14. On or about July 12, 2017, Plaintiff returned to work and suffered another migraine.
15. Plaintiff's regular work included considerable time spent at the computer.
16. At that time, Plaintiff requested increased breaks as an accommodation in order to reduce her migraine instances.
17. On or about July 13, 2017, Plaintiff was continuing to suffer from a migraine and notified Cabela's that she was going to go to the doctor before coming into work that day.
18. Plaintiff was unable to drive due to her migraine. Plaintiff's mother was previously scheduled to take the Plaintiff's children to dental appointments, so she drove the Plaintiff to the doctor.
19. On or about July 13, 2017, Plaintiff visited her doctor who informed her not to return to work that day due to a medication change in an attempt to reduce

her complications due to her disability, and to avoid exacerbation of the migraine by limiting computer screen time.

20. Plaintiff notified Cabela's of the doctor's instruction that she not return to work that day in order to allow for the medication adjustment.

21. Following her doctor's visit on July 13, 2017, Plaintiff rode with her mother to attend previously scheduled dentist appointments for her children.

22. Following the dental appointments, the Plaintiff's mother took her with to the mother's nail salon appointment.

23. While at the nail salon, Disputes Supervisor for the Defendant, Kim Isabell appeared then began challenging Plaintiff's reason for not being at work and demanded information about Plaintiff's medications.

24. Later, on July 13, 2017, Plaintiff went to the emergency room because her nose was bleeding uncontrollably and her migraine continued. Plaintiff was provided medical documentation regarding her visit to give to the Defendant.

25. On or about July 14, 2017 after Plaintiff had returned to work, Human Resources Manager Judy Fischer demanded the bills from the Plaintiff's medical visits and the medical bills from Plaintiff's children's dental visits from July 13, 2017 to prove they occurred.

26. Fischer also questioned the Plaintiff about being at the nail salon on July 13, 2017.

27. Plaintiff provided medical documentation to document the Plaintiff's medical visits, as well as the children's dental visit.

28. On or about July 20, 2017, Isabell sent the Plaintiff an email stating there was a high number of cases in the Plaintiff's queue.

29. Plaintiff had been repeatedly asking for assistance from co-worker Diane Valenzuela, to determine if Plaintiff was processing cases correctly, but Valenzuela was not allowed to help.

30. Plaintiff was not provided assistance to address the volume issue in her queue despite her requests for assistance.

31. Plaintiff was off work from on or about July 19, 2017 until July 21, 2017 due to additional migraines.

32. On or about July 26, 2017 due to complications with the Plaintiff's disability, Plaintiff's doctor provided a note stating that Plaintiff was to stay home until or on about July 31, 2017.

33. The note from Plaintiff's doctor made the reasonable accommodation request that Plaintiff be allowed to take breaks at work and if her symptoms did not alleviate, Plaintiff was to be allowed to leave work. These accommodations were not provided.

34. Cabela's had a progressive disciplinary policy that called for a preliminary written warning in order to assist employees with noted performance deficiencies before seeking more severe disciplinary actions.

35. On or about August 11, 2017, Isabell and Fischer presented the Plaintiff with a final written disciplinary warning even though Plaintiff had not received a previous warning.

36. Fischer stated the warning was for what occurred on July 13, 2017, although what Isabell had written on the warning was inaccurate.

37. Isabell also again demanded to know what medications Plaintiff was on after Fischer left the meeting despite the Plaintiff providing medical documentation to support her serious health condition and disability.

38. On or about August 16, 2017, Isabell met with the Plaintiff after Plaintiff requested a meeting to discuss concerns related to the disciplinary action and her requests for accommodation.

39. During this meeting, Isabell presented the Plaintiff with approximately twenty-four pages of cases allegedly assigned to the Plaintiff that were not completed. Isabell also informed Plaintiff about a customer complaint regarding Plaintiff's work.

40. The customer complaint was not handled as other customer complaints are handled as it had gone directly to Human Resources even though that is not Defendant's policy for handling complaints.

41. On or about August 18, 2017, Isabell terminated the Plaintiff for allegedly not calling all clients prior to sending them notification letters in violation of Defendant's policy.

42. Neither the policy Plaintiff provided, nor the policy Isabell provided showed that calling every client was required.

43. Plaintiff was able to demonstrate to Isabell that in addition to the lack of policy requiring what Isabell demanded, the practices of other similarly situated co-workers was to handle the same or similar situations as the Plaintiff was being terminated for handling them.

44. At all times, Plaintiff's performance was satisfactory.

45. Plaintiff can perform the essential functions of the position with or without an accommodation.

46. Plaintiff filed a charge of discrimination with the NEOC. A commission determination dated May 31, 2018 was received by the Plaintiff in June 2018.

**FIRST CAUSE OF ACTION
FMLA**

47. Plaintiff incorporates all allegations in paragraphs one through 46 as though fully set out herein verbatim.

48. Plaintiff took qualifying medical leave for a serious health condition.

49. Plaintiff was harassed and disciplined in retaliation for taking qualifying medical leave.

50. Plaintiff was held to different standards than similarly situated co-workers due to her taking qualifying medical leave.

51. On or about August 18, 2017 Plaintiff was terminated following her use of qualifying medical leave.

52. The Defendant's actions were a willful violation of FMLA.

53. As a direct and proximate result of Defendant's violations of FMLA, Plaintiff has suffered, and continues to suffer, lost wages, lost benefits, emotional and physical distress, substantial inconvenience, pain and suffering, emotional distress, embarrassment, and loss of enjoyment of life in an amount to be determined at the time of trial.

**SECOND CAUSE OF ACTION
FEPA**

54. Plaintiff incorporates all allegations in paragraphs one through 53 as though fully set out herein verbatim.

55. The foregoing actions of the Defendant constitute a violation of the Nebraska Fair Employment Act as Plaintiff has been subjected to increased scrutiny, disciplinary action, harassment, and termination because of her disability and requests for accommodation.

56. Plaintiff was also subjected to different terms and conditions of employment than non-disabled individuals and denied reasonable accommodations requested.

57. Defendant acted with malice or reckless indifference to the Plaintiff's right not to be discriminated against on the basis of her disability.

58. As a result of Defendant's discrimination, Plaintiff has suffered and continues to suffer undue hardship, Plaintiff has suffered, and continues to suffer, lost wages, lost benefits, emotional and physical distress, substantial inconvenience, pain and suffering, emotional distress, embarrassment, and loss of enjoyment of life in an amount to be determined at the time of trial.

PRAYER FOR RELIEF

WHEREFORE, the Plaintiff respectfully requests this court to assume jurisdiction over this case and:

- a) Award damages to compensate Plaintiff for her lost wages, lost benefits, pain and suffering, emotional distress, humiliation, and damage to her reputation, personal and professional;

- b) Award the Plaintiff a like sum of money for willful violation of FMLA.
- c) Award Plaintiff reasonable attorney fees and costs of this trial; and
- d) Award Plaintiff such further relief as the Court deems just and proper.

REQUEST FOR JURY TRIAL

Plaintiff hereby requests that a jury trial to be held in Lincoln, Nebraska.

Mary Chandler, Plaintiff

By: /s/ Abby Osborn
Abby Osborn, #24527
Joy Shiffermiller, #18164
Shiffermiller Law Office, P.C., L.L.O.
1002 G. Street
Lincoln, NE 68508
(402) 484-7700

PRAECIPE

TO THE CLERK OF SAID COURT:

Please issue a summons to Defendant:

CABELA'S LLC
c/o Registered Agent
CSC-Lawyers Incorporating Service Company
Suite 1900
233 South 13th Street
Lincoln, NE 685080000

Cabela's Incorporated
Brent Lasure
c/o Registered Agent
One Cabela Drive
Sidney, NE 691600000

and return the same with a copy of the Complaint, to the attorney for the Plaintiff:

Abby Osborn
Shiffermiller Law Office, P.C., L.L.O.
1002 G Street
Lincoln, Nebraska 68508

so that said summons may be served on Defendant by certified mail.

/s/ Abby Osborn
Abby Osborn

Image ID:
D00555440D02

SUMMONS

Doc. No. 555440

IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA
575 S. 10th Street - 3rd Floor
SEPARATE JUVENILE COURT-4th Floor
Lincoln NE 68508

Mary Chandler v. Cabela's LLC

Case ID: CI 18 2832

TO: Cabela's Incorporated

FILED BY

Clerk of the Lancaster District Court
08/23/2018

You have been sued by the following plaintiff(s):

Mary Chandler

Plaintiff's Attorney: Abby K Osborn
Address: 1002 G Street
Lincoln, NE 68508

Telephone: (402) 484-7700

A copy of the complaint/petition is attached. To defend this lawsuit, an appropriate response must be served on the parties and filed with the office of the clerk of the court within 30 days of service of the complaint/petition. If you fail to respond, the court may enter judgment for the relief demanded in the complaint/petition.

Date: AUGUST 23, 2018

BY THE COURT:

Trey Z. Link
Clerk



PLAINTIFF'S DIRECTIONS FOR SERVICE OF SUMMONS AND A COPY OF THE COMPLAINT/PETITION ON:

Cabela's Incorporated
c/o Reg Agt, Brent Lasure
One Cabela Drive
Sidney, NE 69160

Method of service: Certified Mail

You are directed to make such service within ten days after the date of issue, and file with the court clerk proof of service within ten days after the signed receipt is received or is available electronically, whichever occurs first.

SERVICE RETURN

Doc. No. 555440

LANCASTER DISTRICT COURT
575 S. 10th Street - 3rd Floor
SEPARATE JUVENILE COURT-4th Floor
Lincoln NE 68508

To:

Case ID: CI 18 2832 Mary Chandler v. Cabela's LLC

Received this Summons on _____, _____. I hereby certify that on
_____, _____ at _____ o'clock __M. I served copies of the Summons
upon the party:

by _____

as required by Nebraska state law.

Service and return \$ _____

Copy _____

Mileage _____ miles _____

TOTAL \$ _____

Date: _____ BY: _____
(Sheriff or authorized person)

**CERTIFIED MAIL
PROOF OF SERVICE**

Copies of the Summons were mailed by certified mail,
TO THE PARTY: _____

At the following address: _____

on the _____ day of _____, as required by Nebraska state law.

Postage \$ _____ Attorney for: _____

The return receipt for mailing to the party was signed on _____, _____.

To: Cabela's Incorporated
c/o Reg Agt, Brent Lasure
One Cabela Drive
Sidney, NE 69160

From: Abby K Osborn
1002 G Street
Lincoln, NE 68508

ATTACH RETURN RECEIPT & RETURN TO COURT

Image ID:
D00555439D02

SUMMONS

Doc. No. 555439

IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA
575 S. 10th Street - 3rd Floor
SEPARATE JUVENILE COURT-4th Floor
Lincoln NE 68508

Mary Chandler v. Cabela's LLC

Case ID: CI 18 2832

TO: Cabela's LLC

FILED BY

Clerk of the Lancaster District Court
08/23/2018

You have been sued by the following plaintiff(s):

Mary Chandler

Plaintiff's Attorney: Abby K Osborn
Address: 1002 G Street
Lincoln, NE 68508

Telephone: (402) 484-7700

A copy of the complaint/petition is attached. To defend this lawsuit, an appropriate response must be served on the parties and filed with the office of the clerk of the court within 30 days of service of the complaint/petition. If you fail to respond, the court may enter judgment for the relief demanded in the complaint/petition.

Date: AUGUST 23, 2018

BY THE COURT:

Trey Z. Link
Clerk



PLAINTIFF'S DIRECTIONS FOR SERVICE OF SUMMONS AND A COPY OF THE COMPLAINT/PETITION ON:

Cabela's LLC
c/o Reg Agt CSC-Lawyers Inc Ser Co
233 S. 13th Street, Ste 1900
Lincoln, NE 68508

Method of service: Certified Mail

You are directed to make such service within ten days after the date of issue, and file with the court clerk proof of service within ten days after the signed receipt is received or is available electronically, whichever occurs first.

SERVICE RETURN

Doc. No. 555439

LANCASTER DISTRICT COURT
575 S. 10th Street - 3rd Floor
SEPARATE JUVENILE COURT-4th Floor
Lincoln NE 68508

To:

Case ID: CI 18 2832 Mary Chandler v. Cabela's LLC

Received this Summons on _____, _____. I hereby certify that on
_____, _____ at _____ o'clock __M. I served copies of the Summons
upon the party:

by _____

as required by Nebraska state law.

Service and return \$ _____

Copy _____

Mileage _____miles _____

TOTAL \$ _____

Date: _____ BY: _____
(Sheriff or authorized person)

**CERTIFIED MAIL
PROOF OF SERVICE**

Copies of the Summons were mailed by certified mail,
TO THE PARTY: _____

At the following address: _____

on the _____ day of _____, as required by Nebraska state law.

Postage \$ _____ Attorney for: _____

The return receipt for mailing to the party was signed on _____, _____.

To: Cabela's LLC
c/o Reg Agt CSC-Lawyers Inc Ser Co
233 S. 13th Street, Ste 1900
Lincoln, NE 68508

From: Abby K Osborn
1002 G Street
Lincoln, NE 68508

ATTACH RETURN RECEIPT & RETURN TO COURT

Image ID:
D00555440D02

SUMMONS

IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA
575 S. 10th Street - 3rd Floor
SEPARATE JUVENILE COURT-4th Floor
Lincoln NE 68508

Mary Chandler v. Cabela's LLC

Case ID: CI 18 2832

TO: Cabela's Incorporated

You have been sued by the following plaintiff(s):

Mary Chandler

Plaintiff's Attorney: Abby K Osborn
Address: 1002 G Street
Lincoln, NE 68508

Telephone: (402) 484-7700

A copy of the complaint/petition is attached. To defend this lawsuit, an appropriate response must be served on the parties and filed with the office of the clerk of the court within 30 days of service of the complaint/petition. If you fail to respond, the court may enter judgment for the relief demanded in the complaint/petition.

Date: AUGUST 23, 2018

BY THE COURT:

Trey Z. Clark
Clerk



PLAINTIFF'S DIRECTIONS FOR SERVICE OF SUMMONS AND A COPY OF THE COMPLAINT/PETITION ON:

Cabela's Incorporated
c/o Reg Agt, Brent Lasure
One Cabela Drive
Sidney, NE 69160

Method of service: Certified Mail

You are directed to make such service within ten days after the date of issue, and file with the court clerk proof of service within ten days after the signed receipt is received or is available electronically, whichever occurs first.

SERVICE RETURN

Doc. No. 555440

To:
Case ID: CI 18 2832

Received this Sum

U.S. Postal Service™
CERTIFIED MAIL® REC
Domestic Mail Only

For delivery information, visit our website

OFFICIALCertified Mail Fee \$ 2.97
Extra Services & Fees (check box, add fees as appropriate)
☒ Return Receipt (hardcopy) \$ 2.37
☐ Return Receipt (electronic) \$ _____
☐ Certified Mail Restricted Delivery \$ _____
☐ Adult Signature Required \$ _____
☐ Adult Signature Restricted Delivery \$ _____Postage \$ 1.89
Total Postage and Fees \$ 6.23Sent To Cabela's Incorporated
Brent Lasure, % Reg. Agent
Street and Apt. No., or PO Box No. One Cabela Drive
City, State, ZIP+4® Sidney, NE 69160
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Cabela's Incorporated
Brent Lasure
% Registered Agent
One Cabela Drive
Sidney, NE 69160

9590 9402 4204 8121 5447 00

2. Article Number (Transfer from service label)

7017 2680 0001 0537 7642

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Melanie Webb ☒ Agent
Melanie Webb ☐ AddresseeB. Received by (Printed Name) C. Date of Delivery
8-27-18D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☒ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail (over \$500)
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

BY: _____
(Sheriff or authorized person)**CERTIFIED MAIL
PROOF OF SERVICE**

Copies of the Summons were mailed by certified mail.

TO THE PARTY: Cabela's IncorporatedAt the following address: % Reg. Agent, Brent LasureOne Cabela DriveSidney, Nebraskaon the 23rd day of August 2018 as required by Nebraska state law.Postage \$ 6.23 Attorney for: Plaintiff, Amy ChandlerThe return receipt for mailing to the party was signed on Aug. 27, 2018.To: Cabela's Incorporated
c/o Reg Agt, Brent Lasure
One Cabela Drive
Sidney, NE 69160From: Abby K Osborn
1002 G Street
Lincoln, NE 68508**ATTACH RETURN RECEIPT & RETURN TO COURT**

Certificate of Service

I hereby certify that on Wednesday, August 29, 2018 I provided a true and correct copy of the Return-Summons/Alias Summons to the following:

Cabela's LLC service method: No Service

Cabela's Incorporated service method: No Service

Signature: /s/ Abby Osborn (Bar Number: 24527)

Image ID:
D00555439D02

SUMMONS

Case Number: D02CI180002832

Transaction ID: 0007372864

Filing Date: 09/29/2018 10:38:03 AM CDT

IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA
575 S. 10th Street - 3rd Floor
SEPARATE JUVENILE COURT-4th Floor
Lincoln NE 68508

Mary Chandler v. Cabela's LLC

Case ID: CI 18 2832

TO: Cabela's LLC

You have been sued by the following plaintiff(s):

Mary Chandler

Plaintiff's Attorney: Abby K Osborn
Address: 1002 G Street
Lincoln, NE 68508

Telephone: (402) 484-7700

A copy of the complaint/petition is attached. To defend this lawsuit, an appropriate response must be served on the parties and filed with the office of the clerk of the court within 30 days of service of the complaint/petition. If you fail to respond, the court may enter judgment for the relief demanded in the complaint/petition.

Date: AUGUST 23, 2018

BY THE COURT:

Trey Link
Clerk



PLAINTIFF'S DIRECTIONS FOR SERVICE OF SUMMONS AND A COPY OF THE
COMPLAINT/PETITION ON:

Cabela's LLC
c/o Reg Agt CSC-Lawyers Inc Ser Co
233 S. 13th Street, Ste 1900
Lincoln, NE 68508

Method of service: Certified Mail

You are directed to make such service within ten days after the date of issue, and file with the court clerk proof of service within ten days after the signed receipt is received or is available electronically, whichever occurs first.

SERVICE RETURN

Doc. No. 555439

To:

Case ID: CI 18 2832

Received this Sum

SENDER: COMPLETE THIS SECTION

- ☐ Complete items 1, 2, and 3.
- ☐ Print your name and address on the reverse so that we can return the card to you.
- ☐ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Cabela's LLC
 c/o Reg. Agent
 CSC-Lawyers Incorp. Service Co.
 Ste 1900, 233 S. 13th St.
 Lincoln, NE 68508



9590 9402 4204 8121 5447 17

2. Article Number (Transfer from service label)

7017 2680 0001 0537 7659

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

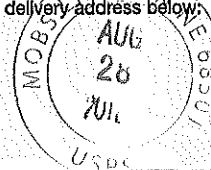
☒ Katie Pallesen ☐ Agent
☐ Addressee

B. Received by (Printed Name)

Katie Pallesen

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No



3. Service Type

- ☒ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Priority Mail Express®
 Registered Mail™
 Registered Mail Restricted Delivery
 Return Receipt for Merchandise
 Signature Confirmation™
 Signature Confirmation Restricted Delivery

Domestic Return Receipt

U.S. Postal Service™
 CERTIFIED MAIL® REG
 Domestic Mail Only

For delivery information, visit our website

OFFICIAL

Certified Mail Fee

\$ 2.97

Extra Services & Fees (check box, add fee as appropriate)

- ☒ Return Receipt (hardcopy) \$ 2.31
- ☐ Return Receipt (electronic) \$
- ☐ Certified Mail Restricted Delivery \$
- ☐ Adult Signature Required \$
- ☐ Adult Signature Restricted Delivery \$

Postage

\$ 1.89

Total Postage and Fees

\$ 4.23

Sent To

c/o Reg. Agent CSC-Lawyers Incorp Ser. Co.
 Street and Apt. No., or PO Box No.
 Ste 1900, 233 S. 13th St.
 City, State, ZIP+4®
 Lincoln, NE 68508

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

BY:

(Sheriff or authorized person)

CERTIFIED MAIL
PROOF OF SERVICE

Copies of the Summons were mailed by certified mail,

TO THE PARTY: Cabela's Inc.At the following address: c/o Reg Agent - CSC-Lawyers Incorp Ser. Co.Ste 1900, 233 South 13th St.Lincoln, NE 68508on the 23rd day of August2018

as required by Nebraska state law.

Postage \$ 4.23Attorney for: Plaintiff Mary ChandlerThe return receipt for mailing to the party was signed on Aug 28 2018

To: Cabela's LLC

c/o Reg Agt CSC-Lawyers Inc Ser Co
 233 S. 13th Street, Ste 1900
 Lincoln, NE 68508

From: Abby K Osborn

1002 G Street
 Lincoln, NE 68508

ATTACH RETURN RECEIPT & RETURN TO COURT

Certificate of Service

I hereby certify that on Wednesday, August 29, 2018 I provided a true and correct copy of the Return-Summons/Alias Summons to the following:

Cabela's LLC service method: No Service

Cabela's Incorporated service method: No Service

Signature: /s/ Abby Osborn (Bar Number: 24527)